

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ALI HUSSEIN DARWICH,

Plaintiff,

vs.

CASE NO. 2:13-CV-13146
HONORABLE GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

JOHN DOE,

Defendant,

OPINION AND ORDER OF SUMMARY DISMISSAL

Plaintiff is an inmate who was confined at the St. Clair County Jail in Port Huron, Michigan when he filed his civil rights complaint pursuant to 42 U.S.C. § 1983, but who has since been transferred to the Federal Correctional Institution in Terre Haute, Indiana.

On July 31, 2013, Magistrate Judge R. Steven Whalen signed an order of deficiency, which required plaintiff to provide sufficient copies of the complaint for service upon the defendants as well as sufficient information identifying the Defendants so that service could be directed upon them. Plaintiff was given thirty days to cure the deficiency.

On September 11, 2013, this Court granted plaintiff a thirty day extension in order to obtain the documentation necessary to correct the deficiency. To date, plaintiff has not corrected the deficiency.

An inmate bringing a civil rights complaint must specifically identify each

defendant against whom relief is sought, and must give each defendant notice of the action by serving upon him or her a summons and copy of the complaint. *Feliciano v. DuBois*, 846 F. Supp. 1033, 1048 (D. Mass. 1994). Where a plaintiff is proceeding *in forma pauperis*, the district court must bear the responsibility for issuing the plaintiff's process to a United States Marshal's Office, who must effect service upon the defendants once the plaintiff has properly identified the defendants in the complaint. *Williams v. McLemore*, 10 Fed. Appx. 241, 243 (6th Cir. 2001); *Byrd v. Stone*, 94 F. 3d 217, 219 (6th Cir. 1996); Fed. R. Civ. P. 4(c)(2); 28 U.S.C. § 1915(d).

The Court will dismiss the complaint for want of prosecution, because of plaintiff's failure to comply with Magistrate Judge Whalen's order by failing to provide the requested copies needed to effect service upon the defendants. See *Erby v. Kula*, 113 Fed. Appx. 74, 75-6 (6th Cir. 2004); *Davis v. United States*, 73 Fed. Appx. 804, 805 (6th Cir. 2003).

IT IS HEREBY ORDERED that Plaintiff's complaint is DISMISSED WITHOUT PREJUDICE to Plaintiff re-filing a new complaint in this matter.

Dated: November 5, 2013

s/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on November 5, 2013, by electronic and/or ordinary mail and also on Ali Darwich #45049-039, Terre Haute U.S. Penitentiary, Inmate Mail/Parcels, P.O. Box 33, Terre Haute, IN 47808.

s/Barbara Radke
Deputy Clerk